



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

Town Offices

25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

Board of Selectmen Meeting Minutes

APPROVED

Monday, July 1, 2013 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectwoman Karyn Puleo, Selectman Allen Curseaden, Selectman Corliss Lambert, Staff Present: Town Administrator Michael Gilleberto, Assist Town Administrator Nina Nazarian, and Admin Assistant Therese Gay.

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law. "Chairman Puleo read the following: "The following meeting is being recorded and broadcast through our local cable access channels on Comcast and Verizon FIOS. A recording of this meeting will also be available for viewing on our town's website - tyngsboroughma dot gov. Also, after instruction from the State Fire Marshall and the Tyngsborough Fire Chief, in the event of an emergency, there is an exit to my left and directly across from me, along the back wall."

5:00 PM Town Offices 15th Anniversary Celebration

The Tyngsborough Public Library and the Town Offices celebrated the 15 year anniversary of the opening of the new Town Hall/Library. The musician provided the music and the Friends of the Library prepared and a small reception in the lobby for all to enjoy.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

The Chairman opened the meeting at 6:00PM followed by the Pledge of Allegiance; the introduction of the Board and the reading of the Agenda by Rick Reault, Clerk.

2. Meeting Minutes

A. Regular Session Meeting Minutes for Approval

1. Monday June 3, 2013
2. Monday June 17, 2013

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to approve the minutes of June 3, 2013

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to approve the minutes of June 17, 2013.

B. Executive Session Minutes for Approval but not Release

1. Monday June 3, 2013
2. Monday June 17, 2013

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to approve the executive session minutes of June 3, 2013, but not to release.

The Board voted 4-0-1 on a motion by Selectman Reault, and second by Selectman Jackson to approve the executive session minutes of June 17, 2013, but not to release.

3. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the

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Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

4. New Business

A. School Resource Sergeant – Appoint

The Board has received information and a memo from the Police Chief regarding the position and the new budget on the following appointment. The Greater Lowell Technical High School, the Tyngsborough Public Schools, and the Merrimack Valley Special Education Collaborative have agreed to fund the re-classification of the position of School Resource Officer to rank of Sergeant. The Board voted 5-0-0 on a motion by Selectman and second by Selectman to re-classify the position of School Resource Officer from rank of Patrol Officer to the rank of Sergeant effective July 1, 2013.

The Board voted 5-0-0 on a motion by Selectman, and second by Selectman to promote Steve Manning to the position of School Resource Sergeant effective July 1, 2013.

B. Lowell Intermunicipal Agreement – Review/Approve

This item is deferred to the Board's next meeting agenda on Monday July 15.

C. Granite State Rowing Club – Review Request

The Board received correspondence from the Granite State Rowing Club. President and Head Coach Katherine Lumbard gave a brief overview of what the GSRC is seeking. The GSRC is looking for permission to work with the Tyngsborough Recreation Department in order to provide rowing programs which would launch from the Tyngsborough Frost Road Park. The recent renovation of the park has created a beautiful environment which allows access to the Merrimack River. The GSRC would like to work with the Recreation Dept. to offer youth and adult rowing programs. If approved the GSRC will work with the Recreation Dept. to set appropriate program fees, will offer a 10% discount on all programs to residents and town employees, and do not anticipate that the Town will incur any costs as a result of these programs. There were a few areas that needed to be addressed 1) the storing of equipment will be problematic as the area is isolated and there will be no one to monitor the equipment, 2) there maybe more than 1 organization to access the park, 3) there will be a trial run to see if there is an interest, and a restriction of a 4 person shell for smaller, suggest carpooling and to make arrangement with the Recreation Director. The Selectmen has some concern about docking, and water safety. Ms. Lumbardo answered the concerns as for docking the group can wade in and launch. The organization has good insurance, and Ms. Lumbardo is the main supervisor and has 5 members in a team in two boats. Where the parking is limited Ms. Lumbardo could coordinate with the Recreation Department to use the Wicassee ballpark parking area. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to give preliminary approval and to have Ms. Lumbardo work with the Recreation Department to finalize the details.

5. Old Business

A. Annual Appointments – Continued

The Administrator has forward the following appointment memo to the Board for review and appointing; a copy of the appointment listing, updated to include additional information regarding each board/commission/committee; the 2012 Annual Report, which includes information on the

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activities of boards/commissions/committees. The positions in red require Board member appointment.

Capital Asset Management Committee – Karyn Puleo

Selectman Puleo has served on the committee the past year and would like to continue to serve, the Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to appoint Karyn Puleo as the Selectmen's Representative on the Capital Asset Management Committee.

NMCOG Representative – Rick Reault

Selectman Reault has served as a representative for the past year and would like to continue to serve, the Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to appoint Rick Reault as the Board Representative to NMCOG.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Jackson to reappoint the following individuals to the following boards/commissions/committee for terms expiring June 30, 2016:

For Three Year Terms:

Zoning Board of Appeals – Christina Mechildes and Scott Bordeleau;

Board of Registrars – David Coles;

Community Preservation Committee – John Pelletier, Guy Denommee and Joelyn Riley;

Conservation Commission – Brian Martin, Linda Bown;

Council on Aging – Roger Downing;

Council on Aging; Elderly and Disabled Taxation Aid – Phil O'Brien;

Cultural Council – Christina Dugas, Sujatha Meyyappan, Juli Rogers;

Historical Commission – Marie Lambert

Trust Fund Committee – Kerry Colburn-Dion

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to reappoint the following individuals to the following boards/commissions/committee for terms expiring June 30, 2015:

For Two Year Terms:

Trust Fund Committee – Christopher Dery

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to reappoint the following individuals to the following boards/commissions/committee for terms expiring June 30, 2014:

For One Year Terms:

Capital Asset Management Committee; Elderly and Disabled Taxation Aid Committee – Kerry Colburn-Dion;

Capital Asset Management Committee – Catherine Gabriel;

Field Use Committee - Allison Page

Emergency Management Director, Station 1- Wesley Russell

Emergency Preparedness Committee, Board of Fire Engineers, Fire Chief/Forest Warden/Right to Know – Timothy Madden;

Emergency Preparedness Committee – Richard Howe;

Board of Fire Engineers – James Doster, Raymond Ledoux, Arthur Michaud;

Temporary Deputy Fire Chief – Jason Newton;

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Assistant Chief – Wilfred Mercier;

Station 1 – Captain Christopher Newton, Lt. Andrew McAllister;

Station 2 – Lt. Dana Cocozziello, Lt. Doug Latulippe;

Station 3 – Captain Patrick Sands, Lt Laval Blanchette;

Insurance Advisory Committee – Kathy Cayer; William Lannan; Shaun Woods; Christopher Rider, Christopher Dery, Laurie Patnaude, Cheryl Laforge, George Richardson;

NMCOG – Selectmen Representative - Rick Reault

Parking Clerk – Gene Spickler;

E-911 Municipal Coordinator – Glenna Greenslade;

Sealer of Weights and Measures – Edward Johnson;

Trust Fund Committee – Barbara Roche;

Director of Veterans' Services; Veteran's Agent; Veterans' Graves Officer and Burial Agent; Trust Fund Committee – Christopher Dery;

AND

On the recommendation from the Chief of Police for one year terms:

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Jackson to appoint the following individuals to the following positions for terms expiring June 30, 2014:

Reserve Officers – Paul Patalano, Daniel Campbell, Edward Cassie, Evan Donnelly, Jason Kushmerek, and Timothy Sullivan;

Special Officers – Carlos Borges, Edward Cossette, Walesca Gomez, Michael Jelly, John Martin, Jose Martinez, Joseph Pivrotto, Scott Reidy, Top Phonexay Xayackack;

Police Matrons – Glenna Greenslade, Kathie Comer, Jamie Weinberg, Walesca Gomez;

Part-Time Communication Dispatchers – Kimberly Descarais, M. Michael Johnson, Matt Leung, Pollyanna Leung;

As requested by Dunstable:

James G. Downes, III, Police Chief	George Aggott
James W. Dow, Lieutenant	Sean Ready
Darrell Gilmore, Sergeant	John Koyutis
Erik Hoar	Gregg Sanborn
Nicholas Papageorgiou	Jeffrey Swift
Charles Chaprales	Shawn Drinkwine
Ryan Koles	Louis Berard
Matthew Tully	

As requested by Groton:

Chief Donald L. Palma, Jr.	
Lt. James A. Cullen, III	
Det. Cory E. Waite	
Sgt. Derrick J. Gemos	Sgt. Edward P. Sheridan, Sr.
Sgt. Paul R. Connell	Sgt. Jason M. Goodwin
Ptl. Nicholas C. Beltz	Ptl. Kevin T. Henehan
Ptl. Robert L. Breault	Ptl. Michael A. Lynn
Ptl. Peter S. Breslin	Ptl. Rachel E. Mead
Ptl. Gordon A. Candow	Ptl. Irmin L. Pierce, III
Ptl. Omar A. Connor	Ptl. Dale P. Rose
Ptl. Timothy Cooper	

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The following positions/boards/committee/commissions require additional research prior to a recommendation: Burial Agent, Constables, Economic Development Committee, Fence Viewer, Permitting Authority, Recreation and Parks Commission, the Road Inspector position and the Town Education Fund Committee.

The Administrator recommends the following be advertised for interested parties – Agricultural Commission and Cultural Council; and recommends sending letters to the Committees that have a seat on the following committee: Capital Asset Committee.

The Administrator and the Assistant Town Administrator will be consulting with the Green Communities program regarding the role of the Energy and Environmental Affairs Committee; and the Town Administrator recommends sending letters to committees that have a seat on the Capital Asset Management Committee.

After a brief discussion on the posting of minutes from various boards, some are not up-to-date and others not all. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to request the Town Administrator to reach out to the various boards, committees and commissions to provide minutes to be placed on the website.

B. Greater Lowell Regional Vocational-Technical School Committee – Update

There have been meetings and discussion on the options available to the four communities to address the manner in which the GLVTHS Committee is elected. The Massachusetts General Laws provides 5 options for the communities to choose from. They are 1) electing committee members by voters in member communities with each community's representation apportioned according to population; 2) Electing members in district-wide elections to be held at the biennial state elections; 3) Electing members with residency requirements in district-wide elections to be held at the biennial state elections; 4) weighing the votes of committee members according to the population they represent; and 5) Appointing committee members by locally elected officials such as school board members. Each regional school district shall designate an individual to serve as district clerk. Town Counsel suggests the Board move with options 3 as options 1, 2, 4 and 5 would have significant changes would happen and option 3 would be the closest to what is in effect and all communities would vote at the same time. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Jackson to endorse Option 3 (Electing members with residency requirements in district-wide elections to be held at the biennial state elections).

C. Smokey Bones Manager Change Reconsideration

The Board received an updated DUA form stating that Barbeque Integrated Inc. has complied with the tax law. The request was to sign and send the reconsideration form to the ABCC for the processing of the manager change request.

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to sign the Reconsideration Form 43.

6. Citizen/Business Time – No one came forward this evening.

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7. Correspondence

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law. Copies of correspondence may be requested from the Office of the Board of Selectmen.

A. Action

The Board reviewed the request for comment from the Zoning Board of Appeals and asked that the Town Administrator inform the Zoning Board the Board of Selectman has no comments.

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to accept the donation of \$500.00 from Ms. Pamela Grucza to the Edgar Scarborough Scholarship Trust Fund in honor of Edgar's sister Lulu Downing's birthday and in honor of Edgar's brother-in-law Ken Downing for Father's Day.

The Board received correspondence from Department of Housing and Community Department. The Department has sent the annual building permit reporting form. The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to approve the Building Permit Reporting Form.

B. Informational

The Board voted 5-0-0 on a motion by Selectman Reault, second by Jackson to approve the informational correspondence as presented.

8. Review of Weekly Warrants

The Administrator read the following weekly warrants into the record: Warrant #52B for \$250,668.03 on 6/24/2013; Warrant #52S for \$369,558.49 on 6/24/2013; Warrant #53P (FY13 for \$406,686.32 on 7/1/2013; Warrant #1B for \$2,170,108.03 on 7/1/2013; Warrant #53B for \$379,183.28 on 6/30/2013.

9. Town Administrator's Reports

- Response to Selectmen's Requests
- Budget

The Administrator and the Finance Coordinator are planning to request a joint meeting of the Selectman and the Finance Committee on July 15th to address any lingering interdepartmental/reserve fund transfers.

- Departmental Information

Attached are copies of recent letters sent out by the Board of Health regarding industrial/commercial waste collection.

The Administrator has spoken with Republic Services and the Board of Health regarding Monday's trash and recycling collection. Republic received two complaints and the Board of Health received approximately 25 inquiries between late last week and Monday. As of late this afternoon, there were no reports of open covers on containers, although Republic was doing a final run to make sure all trash totes were collected. The contract language with Republic is still being worked out for the new agreement and automated collection.

- Contracting/Procurement

Attach is a copy of the Green Communities grant extension. This extension is for purposes of filing required reports only. I am pleased to report that all of our projects have been substantially

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completed. There are a few punch-list items remaining, but the projects are substantially complete. Thank you to all who participated for their hard work.

Attached is a copy of the final license for Parlee Farms to access a right-of-way on Norton Field.

Attached are the procurement delegations for FY 2014.

Town Counsel is reviewing a draft Purchase and Sale for the First Parish Church. At the request of the seller's attorney, he is recommending the Board vote to extend the deadline to sign a Purchase and Sale to August 14, 2013. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to extend the Purchase and Sales deadline for the First Parish Church to August 14, 2013.

Attached is the proposed lighting schematic for street lights on Charles Chronopoulos Way. This draft has been provided to National Grid for their review.

Attached is a copy of a recent communication regarding the filling of Orders of Taking for the roads accepted at the Annual Town Meeting.

NMCOG has requested our support for an Urban and Community Forestry grant. This grant will allow the region, including Tyngsborough, begin to comply with anticipated federal NPDES requirements to assess the feasibility of low impact development guidelines. The Planning Board is interested in exploring these guidelines. Please note that the NPDES permit may not require guidelines be established, only that they be explored and/or reviewed. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Jackson to approve endorsing the plan grant.

- Other

10. Selectmen's Reports

Selectman Lambert wished everyone a Happy Fourth of July and asked that everyone go online and download the Declaration of Independence and the Constitution it is good reading and what it says about our freedom and what it means to be free. Selectman Curseaden wishes everyone a Happy Fourth Holiday. Selectwoman Puleo would like to discuss town government and to place the item on a future agenda. Selectman Reault gave a brief update on the OTH construction. New pictures have been posted on the web page and a late Fall completion date.

11. Adjournment

The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Reault to adjourn the meeting at 7:25 PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: Monday July 15, 2013

Town of Tyngsborough
Massachusetts

Correspondence - Monday July 1, 2013

07B

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